

Rex Shannon

From: Aaron Siri <aaron@sirillp.com>
Sent: Thursday, November 3, 2022 2:17 PM
To: Rex Shannon; Doug Miracle
Cc: Elizabeth Brehm; Catherine Cline; chris; Walker Moller; Joe OConnell; Robert Wilkinson; Kelly Sessoms
Subject: RE: Bosarge et al. v. Edney et al., 1:22-cv-00233-HSO-BWR
Attachments: Draft Stipulated Scheduling Order_2022_11_03.docx

Dear Mr. Shannon,

Thank you for your response. Please find attached a proposed stipulation.

I have included opposing the motion for summary judgment wherein you can take the position that briefing on this motion is premature. Alternatively, we can exclude the motion for summary judgment from the stipulation, and plaintiff would then file for an order granting that motion on the basis it is unopposed and you can then respond by arguing the motion was premature. Same result either way so let me know how you want to proceed.

Thank you.

Best regards,
Aaron

From: Rex Shannon <Rex.Shannon@ago.ms.gov>
Sent: Thursday, November 3, 2022 9:44 AM
To: Aaron Siri <aaron@sirillp.com>; Doug Miracle <Doug.Miracle@ago.ms.gov>
Cc: Elizabeth Brehm <ebrehm@sirillp.com>; Catherine Cline <ccline@sirillp.com>; chris <chris@cwiestlaw.com>; Walker Moller <wmoller@sirillp.com>; Joe OConnell <JOConnell@bnlawfirm.com>; Robert Wilkinson <rwilkinson@wwbslaw.com>; Kelly Sessoms <ksessoms@wwbslaw.com>
Subject: RE: Bosarge et al. v. Edney et al., 1:22-cv-00233-HSO-BWR

Dear Mr. Siri,

On behalf of the Attorney General, we are not opposed to a reasonable and orderly briefing schedule relative to Plaintiffs' motion for preliminary injunction. As noted below, the State Defendants each have until November 14, 2022, to answer or otherwise respond to Plaintiffs' complaint. We propose for the Attorney General's response to Plaintiffs' motion for preliminary injunction to be due one week later, i.e., on November 21, 2022.

Dr. Edney is in the process of engaging separate counsel and will not be represented by the Attorney General's Office in this matter. While I cannot speak for him, it appears that he would likewise be amenable to a November 21 response deadline in connection with Plaintiffs' motion for preliminary injunction.

Briefing on Plaintiffs' motion for summary judgment is premature at this juncture.

I am copying counsel of record for the other defendants.

Please let us know if the proposal above is agreeable.

Thanks,



Rex

Rex M. Shannon III

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From: Aaron Siri <aaron@sirillp.com>

Sent: Wednesday, November 2, 2022 2:57 PM

To: Rex Shannon <Rex.Shannon@ago.ms.gov>; Doug Miracle <Doug.Miracle@ago.ms.gov>

Cc: Elizabeth Brehm <ebrehm@sirillp.com>; Catherine Cline <cccline@sirillp.com>; chris <chris@cwiestlaw.com>; Walker Moller <wmoller@sirillp.com>

Subject: RE: Bosarge et al. v. Edney et al., 1:22-cv-00233-HSO-BWR

Good afternoon, Mr. Shannon,

Contrary to our what I was told on the call yesterday with our process server, the process service company emailed us today to advise that, while the health department was served with all papers, the AG's office was only served with the summons. Given same, you were correct that your office was apparently only served with the summons. We asked the process server to prepare an amended affidavit of service which we will be filing to correct that mistake. Apologies on that score.

We have separately, as noted below, sent you all papers via overnight USPS and you should receive them today. That was done as to all defendants to avoid any service issues. That should resolve any question of service on the AG as to all papers. Given that your office has been aware of the motion since at least September 22, 2022, would your office be willing to enter into a briefing schedule on the pending motions?

If not, we will file a request for same with the Court.

Thank you,
Aaron